

1 HEATHER E. WILLIAMS, SBN #122664
Federal Defender
2 LEXI NEGIN, SBN #250376
Assistant Federal Defender
3 Designated Counsel for Service
801 I Street, 3rd Floor
4 Sacramento, CA 95814
Telephone: (916) 498-5700
5 Fax: (916) 498-5710

6 Attorneys for Defendant
RICARDO DURAN
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	Case No. 2:20-cr-00228-JAM-1
)	
12 Plaintiff,)	STIPULATION AND ORDER TO
)	CONTINUE STATUS CONFERENCE AND
13 vs.)	HEARING RE MOTION TO SUPPRESS
)	AND EXCLUDE TIME
14 RICARDO DURAN,)	
)	Date: August 10, 2021
15 Defendant.)	Time: 9:30 a.m.
)	Judge Hon. John A. Mendez
16 _____)	

17 IT IS HEREBY STIPULATED by and between Phillip A. Talbert, Acting United States
18 Attorney, through Alexis Nelsen, Assistant United States Attorney, counsel for Plaintiff
19 (hereinafter “the government”) and Heather Williams, Federal Defender, through Assistant
20 Federal Defender Lexi Negin, counsel for Defendant Ricardo Duran (hereinafter “defense
21 counsel”), **that the status conference and the Hearing re Motion to Suppress, both**
22 **scheduled for August 10, 2021 may be vacated and continued to August 17, 2021 at 9:30**
23 **a.m.**

24 Defense counsel requires additional time to review discovery, conduct further legal
25 research; meet with her client to discuss potential resolution; and otherwise prepare for the
26 motion hearing. Defense counsel believes that failure to grant the requested continuance would
27 deny Mr. Duran the reasonable time necessary for effective preparation, taking into account the
28

1 exercise of due diligence. The government does not object to the continuance.

2 Based upon the foregoing, the parties agree time under the Speedy Trial Act should be
3 excluded through and including August 17, 2021; pursuant to 18 U.S.C. §3161(h)(7)(A) and
4 (B)(iv) [reasonable time to prepare] and General Order 479, Local Code T4 based upon defense
5 preparation and Local Code E based on Defendant's pending Motion to Suppress.

6 Respectfully submitted,

7 HEATHER E. WILLIAMS
8 Federal Defender

9 Date: August 6, 2021

/s/ Lexi Negin

10 LEXI NEGIN
11 Assistant Federal Defender
Attorneys for Defendant
RICARDO DURAN

12 Date: August 6, 2021

13 PHILLIP A. TALBERT
Acting United States Attorney

14 /s/ Alexis Nelsen

15 ALEXIS NELSEN
16 Assistant United States Attorney
Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

The Court orders the time excluded from August 10, 2021 to August 17, 2021 from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for defense counsel to prepare] and General Order 479, (Local Code T4) and 18 U.S.C §18:3161(h)(1)(D) Local Code E (pending motion). The Court finds the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. It is further ordered the August 10, 2021 status conference shall be continued until August 17, 2021, at 9:30 a.m. before Honorable John A. Mendez.

IT IS SO ORDERED.

Date: August 6, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE